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TO

Amend the Law relating to the Sale of Intoxicating
Liquors in Ireland.

A.D. 1902.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1. Where a licensed person is convicted before any court of any offence committed by him as such, in contravention of the Licensing Acts, it shall be the duty of the clerk of petty sessions to enter notice of every such conviction, in the form prescribed by the Lord Lieutenant, in the register of licences kept by him,
10 and he shall forthwith send notice of the conviction to the clerk of the peace.

Record of
conviction of
licensed
person.

- On any application for the grant, renewal, or transfer of a licence, the licensing justices shall have regard to any entries in the register of licences relating either to the person by whom, or to
15 the premises in respect of which, the licence is to be held, and shall receive in evidence, and consider same, whether such grant, renewal, or transfer shall be formally opposed or not; and it shall be the duty of the petty sessions clerk to produce the register of licences to the licensing authority on any such application.

- 20 When a conviction relating to any premises is entered in the register of licences, it shall be the duty of the clerk of petty sessions to serve, in manner provided by the Licensing Act, 1872, notice of the conviction on the owner of the premises.

35 & 36 Vict.
c. 94.

- 25 2. A justice shall not be disqualified to act for any purpose under the Licensing Acts, 1833 to 1902, or this Act, by reason only of his being interested in a railway company which is a retailer of intoxicating liquor.

Removal of
disqualifica-
tion of
justices
interested in
railways.

Occasional
licences.

3. An occasional licence shall not be granted except with the consent of a petty sessional court, and unless twenty-four hours at

[Bill 26.]

A.D. 1903. least before applying for that consent the applicant has served on the police officer in charge of the district notice of his intention to apply for the consent, setting out his name and address, the place and occasion in respect of which the licence is required, the period for which the licence is to be in force, and the hours to be specified in the consent of the justices: Provided that where there is no sitting of a petty sessional court within *seven days* before the time when the licence is required, and it is shown to the satisfaction of the justices hereinafter mentioned, that it was not practicable to make an application to a petty sessional court, the consent may be given by any two justices acting for the division and sitting together, of which consent notice shall be sent to the police officer in charge of the district.

25 & 26 Vict. c. 22. In section thirteen of the Revenue Act, 1862, section twenty of the Revenue Act, 1863, and section five of the Revenue Act, 1864, the consent required by this section shall be substituted for the consent in those sections mentioned.

Bona fide traveller. 4. For the purposes of this Act and the other Acts relating to the sale of intoxicating liquors, a person shall not be deemed to be a bona fide traveller unless the place where he lodged during the preceding night is at least ten miles distant from the place where he demands to be supplied with liquor, such distance to be calculated by the nearest public thoroughfare; and unless he can prove that he is bona fide travelling for health or business.

Definitions. 5. For the purposes of this Act in the police district of Dublin Metropolis—

- (a) The principal clerk at each police court shall be substituted for the clerk of petty sessions; and
- (b) Any divisional magistrate acting at a police court within the police district of Dublin Metropolis shall be substituted for the justice of the peace.

Construction and short title. 6. In this Act all expressions shall have respectively the same meaning as in the Licensing (Ireland) Acts, 1833 to 1902, and for this purpose this Act shall be construed with the said Acts, and may be cited as the Licensing (Ireland) Act, 1903.